

**DECLARATION OF RICK KINGCADE**

I, Rick Kingcade, declare as follows:

1. I am the Director of Strategic Services for Quest Diagnostics Incorporated, an affiliate company of ExamOne LLC and ExamOne World Wide, Inc. (collectively, “ExamOne”). I have worked for ExamOne since 1997. As the Director of Strategic Services, I coordinate operational support for ExamOne’s national multi-site network including technical, business, real estate, and legal activities. I have personal knowledge of the facts contained in this declaration, and if called upon I could and would testify to the truth of these facts.

2. ExamOne is the largest provider of risk assessment services for life insurance companies in North America. It helps insurers meet their underwriting needs by providing convenient specimen collection for policy applicants via in-office or in-home phlebotomy and courier services. ExamOne also provides specimen collection and exam services at approximately 700 locations across the United States. ExamOne’s team includes medical examiner employees who perform medical exams and specimen collection on insurance policy applicants (“Examiners”).

3. Maria Vecchio is a former Examiner. ExamOne first engaged Ms. Vecchio as an independent contractor in or around November 2013, and she performed mobile medical exams as a contractor from around January – July 2014. Ms. Vecchio then became an Examiner for ExamOne in or around July 2014, and worked as an Examiner until October 2016. She was based out of ExamOne’s branch office in New York City.

4. Generally, Examiners perform medical exams on life insurance applicants based on work orders from insurance companies. These exams can range from simply filling in

paperwork and taking physical measurements to taking comprehensive paramedical histories with blood draws, urine specimen collections, and electrocardiograms.

5. With very limited exceptions, all Examiners are part-time employees who do not work more than 29 hours per week. Examiners are not required to work a minimum number of hours.

6. Some Examiners perform “mobile” medical exams by traveling to the insurance applicant’s home or business. Examiners have a designated area where they travel to perform mobile exams based on zip codes they provide to ExamOne. Examiners can also choose whether to take appointments outside of their designated area.

7. The time spent per mobile exam for each Examiner depends on a number of factors. A more simple exam (such as short paperwork and physical measurements) can take only 5-10 minutes; a more complicated exam (such as one that includes an electrocardiogram or involves an older patient with an extensive paramedical history) can take an hour.

8. Attached hereto as Exhibit A are true and correct copies of excerpts from ExamOne’s Standards and Protocols Manual for Examiners, which provides a list of time estimates needed to complete various tests during exams.

9. For mobile exams, the Examiners’ branch offices will try to schedule the Examiners’ appointments each day so that the appointments are as close together (in terms of time and geography) as possible.

10. For mobile exams, ExamOne pays most Examiners per exam based on set fees for the services they perform. These fees range based on the length or complexity of the services provided during the exam.

11. Each Examiner is paid based on a fee schedule that is tied to his or her service area and skill set. ExamOne has 22 levels (or “tiers”) of fee schedules that apply to Examiners. Attached hereto as Exhibit B are true and correct copies of the fee schedules for Tiers 1, 7, and 8.

12. As of October 2017, Examiners in California are paid by the hour for any work they perform.

13. Some Examiners work full-time in ExamOne branch offices and are paid hourly. When these Examiners work 40 hours or more, they receive overtime compensation at time and one-half their hourly base rate of pay.

14. Some Examiners work 40 hours or more doing medical exams at client health fairs and are paid hourly. These Examiners also receive overtime compensation at time and one-half their hourly rate for health fairs.

15. Attached hereto as Exhibit C are true and correct copies of the timekeeping records for Maria Vecchio, Joel Validum, and Zeanza Penistan.

16. Attached hereto as Exhibit D is a true and correct copy of the employment offer letter that ExamOne provided to Zeanza Penistan.

17. Attached hereto as Exhibit E are true and correct copies of excerpts from ExamOne’s Examiner Communication For On-Call Employed Examiners, which ExamOne provides to branch office managers.

18. Attached hereto as Exhibit F are true and correct copies of excerpts from ExamOne’s Employee Handbook Compensation Policies.

19. Examiners record their time using ExamOne’s electronic attendance and timekeeping system, Workforce Central Teletime (“Teletime”). To clock in and out with Teletime, Examiners call a 1-800 number, enter their employee IDs, enter their password, and

then press the “#” key or hang up. Attached hereto as Exhibit G is a true and correct copy ExamOne’s Teletime training guidelines for Examiners.

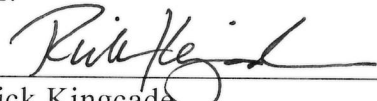
20. Attached hereto as Exhibit H is a true and correct copy of ExamOne’s Expectations and Protocols for On-Call Examiners.

21. Attached hereto as Exhibit I is a true and correct copy of ExamOne’s “Historical Edits Job Aid” guidelines.

22. Attached hereto as Exhibit J is a true and correct copy of an e-mail notice received by an Examiner, which was forwarded to me.

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I declare under penalty of perjury that the foregoing is true and correct. Executed this 20th day of November, 2017, in Lenexa, Kansas.

  
Rick Kingcade